

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 \_\_\_\_\_  
4 ROBERT NOCK, an individual, on  
5 his own behalf and on behalf of  
6 all others similarly situated,

7 Plaintiff,

8 v. Civil Action No.

9 SPRING ENERGY RRH, LLC d/b/a 1:23-cv-01042-  
10 SPRING POWER & GAS; RRH ENERGY JHR  
11 SERVICES, LLC d/b/a RICHMOND ROAD  
12 HOLDINGS, LLC; and RICHMOND ROAD  
13 HOLDINGS, LLC, Delaware limited  
14 liability companies,

15 Defendants.

16 \_\_\_\_\_  
17 VIDEOCONFERENCE DEPOSITION OF GARY PUDLES

18 DATE: Monday, August 26, 2024

19 TIME: 10:03 a.m.

20 LOCATION: Remote Proceeding

21 AnswerNet

22 3930 Commerce Avenue

23 Willow Grove, PA 19090

24 REPORTED BY: James Bekman

25 JOB NO.: 6872872

1	A P P E A R A N C E S	1	I N D E X
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3	ETHAN PRESTON, ESQUIRE (by videoconference)	3	By Mr. Preston 9
4	Preston Law Offices	4	
5	4054 McKinney Avenue, Suite 310	5	E X H I B I T S
6	Dallas, TX 75209	6	NO. DESCRIPTION PAGE
7	ep@eplaw.us	7	Exhibit 20 Email Dated 5/11/21 55
8	(972) 842-4666	8	Exhibit 21 Endurance Enrollment GPS Data 92
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3	SPRING POWER & GAS, RRH ENERGY SERVICES LLC D/B/A	3	1 URL Tpvhub.com Record 74
4	RICHMOND ROAD HOLDINGS, LLC, AND RICHMOND ROAD	4	
5	HOLDINGS, LLC, DELAWARE LIMITED LIABILITY COMPANIES:	5	I N F O R M A T I O N R E Q U E S T E D
6	ELLIOU A. HALLAK, ESQUIRE (by videoconference)	6	NO. DESCRIPTION PAGE
7	Harris Beach PLLC	7	1 TPV.com Hiatus Date 38
8	677 Broadway, Suite 1101	8	
9	Albany, NY 12207	9	QUESTIONS INSTRUCTED NOT TO ANSWER
10	ehallak@harrisbeach.com	10	PAGE LINE
11	(518) 427-9700	11	65 6
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<p>1 G. Pudles</p> <p>2 THE REPORTER: Good morning. My name</p> <p>3 is James Bekman. I'm the reporter</p> <p>4 assigned by Veritext to take the record of</p> <p>5 this proceeding. We are now on the record</p> <p>6 at 10:03 a.m.</p> <p>7 This is the deposition of Gary Pudles</p> <p>8 taken in the matter of Robert Nock, an</p> <p>9 individual on his own behalf and on behalf</p> <p>10 of all others similarly situated v. Spring</p> <p>11 Energy RRH, LLC doing business as Spring</p> <p>12 Power &amp; Gas, RRH Energy Services, LLC</p> <p>13 doing business as Richmond Road Holdings,</p> <p>14 LLC, and Richmond Road Holdings, LLC,</p> <p>15 Delaware Limited Liability Companies on</p> <p>16 Monday, August 26, 2024, at 390 Commerce</p> <p>17 Avenue, Willow Grove, Pennsylvania 19090.</p> <p>18 I'm a notary authorized to take</p> <p>19 acknowledgements and administer oaths in</p> <p>20 New York. Parties agree I will swear in</p> <p>21 the witness remotely.</p> <p>22 Absent an objection on the record</p> <p>23 before the witness is sworn, all parties</p> <p>24 and the witness understand and agree that</p> <p>25 any certified transcript produced from the</p>	<p>1 G. Pudles</p> <p>2 Okay. So at this time, could everybody in</p> <p>3 attendance please identify themselves for</p> <p>4 the record?</p> <p>5 MR. PRESTON: My name is</p> <p>6 Ethan Preston. I'm appearing on behalf of</p> <p>7 Plaintiff Robert Nock.</p> <p>8 MR. WILSON: Jeremy Wilson on behalf</p> <p>9 of Plaintiff Robert Nock.</p> <p>10 MR. HALLAK: Elliot Hallak from the</p> <p>11 law firm of Harris Beach here for the</p> <p>12 defendants.</p> <p>13 MR. MURDZA: David Murdza, general</p> <p>14 counsel for AnswerNet appearing for</p> <p>15 AnswerNet witness Gary Pudles.</p> <p>16 THE REPORTER: And if the witness</p> <p>17 could just state his first and last name.</p> <p>18 MR. PUDLES: My name is Gary Pudles.</p> <p>19 THE REPORTER: Thank you.</p> <p>20 MR. PUDLES: P-U-D-L-E-S.</p> <p>21 THE REPORTER: Thank you. Okay.</p> <p>22 Hearing no objection, I will now swear in</p> <p>23 the witness.</p> <p>24 If you could please raise your right</p> <p>25 hand. Thank you.</p>
<p>Page 6</p> <p>1 G. Pudles</p> <p>2 recording of this proceeding:</p> <p>3 - is intended for all uses</p> <p>4 permitted under</p> <p>5 applicable procedural</p> <p>6 and evidentiary rules</p> <p>7 and laws in the same</p> <p>8 manner as a deposition</p> <p>9 recorded by stenographic</p> <p>10 means; and</p> <p>11 - shall constitute written</p> <p>12 stipulation of such.</p> <p>13 Now, at this time, will everybody in</p> <p>14 attendance please identify themselves for</p> <p>15 the record?</p> <p>16 It looks like Counsel Wilson is</p> <p>17 joining us now. So before I swear in the</p> <p>18 witness, I will let him in and let him</p> <p>19 know we're at appearances. I'll take a</p> <p>20 quick pause here.</p> <p>21 Counsel Wilson, we're about to do</p> <p>22 appearances if you're -- could hear us;</p> <p>23 okay? So feel free to join.</p> <p>24 MR. WILSON: I can. Okay, thank you.</p> <p>25 THE REPORTER: Okay, thank you.</p>	<p>Page 8</p> <p>1 G. Pudles</p> <p>2 WHEREUPON,</p> <p>3 GARY PUDLES,</p> <p>4 called as a witness and having been first</p> <p>5 duly sworn to tell the truth, the whole</p> <p>6 truth, and nothing but the truth, was</p> <p>7 examined and testified as follows:</p> <p>8 THE REPORTER: Okay. Counsel, please</p> <p>9 proceed.</p> <p>10 EXAMINATION</p> <p>11 BY MR. PRESTON:</p> <p>12 Q Good morning, Mr. Pudles. I</p> <p>13 just want to make sure, are you impaired,</p> <p>14 or ill, or taking medication and it would</p> <p>15 cause you not to be able to give truthful</p> <p>16 testimony today?</p> <p>17 A No.</p> <p>18 Q Have you been -- had your</p> <p>19 deposition taken before?</p> <p>20 A Yes.</p> <p>21 Q Okay. So I'm going to remind</p> <p>22 you and go over some of the ground rules.</p> <p>23 Court reporter can't see gestures. It's</p> <p>24 really a transcribed interview. And so</p> <p>25 everything -- all your answers have to be</p>

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<p>1 G. Pudles</p> <p>2 A I understand that there's, if</p> <p>3 I'm not mistaken, a TCPA action between</p> <p>4 your client and my client.</p> <p>5 Q Okay. And when did you come to</p> <p>6 that understanding?</p> <p>7 A I have no idea. Well, sometime</p> <p>8 -- one -- most likely at a meeting after</p> <p>9 you reached out or after the client</p> <p>10 reached out to my general counsel who's</p> <p>11 very diligent in making sure I know</p> <p>12 things.</p> <p>13 Q Okay. I'm going to upload</p> <p>14 another exhibit to the drive. You should</p> <p>15 have access to a Google Drive.</p> <p>16 A Well, I do, but I -- I would</p> <p>17 prefer if you would share documents,</p> <p>18 because I would rather make sure that I'm</p> <p>19 not searching for something and we're not</p> <p>20 talking about the same thing. So if you</p> <p>21 don't mind bringing up and sharing the</p> <p>22 document, that would be appreciated,</p> <p>23 because I don't want to -- I -- I want to</p> <p>24 make sure that I'm looking at the right</p> <p>25 document at the right time.</p>	Page 14	<p>1 G. Pudles</p> <p>2 you see AnswerNet, TPV, LLC, Sales</p> <p>3 Verification, and Cerida Investment</p> <p>4 Corp --</p> <p>5 A I do.</p> <p>6 Q -- Mr. Pudles?</p> <p>7 A I do.</p> <p>8 Q Okay. And have you seen this</p> <p>9 document before?</p> <p>10 A I have not.</p> <p>11 Q You have not seen this document</p> <p>12 before?</p> <p>13 A No.</p> <p>14 Q Okay. Did you prepare for a</p> <p>15 deposition? Did you prepare for this</p> <p>16 deposition?</p> <p>17 A I did.</p> <p>18 Q Okay. How did you prepare?</p> <p>19 A With counsel and with -- with</p> <p>20 counsel and a couple of other people, but</p> <p>21 mostly with counsel.</p> <p>22 Q Okay. Without involving</p> <p>23 discussions with your counsel, who did you</p> <p>24 speak with?</p> <p>25 A I spoke with Eduardo Flores who</p>	Page 16
<p>1 G. Pudles</p> <p>2 Q Okay. We might not always be</p> <p>3 able to do that, but I will try.</p> <p>4 MR. PRESTON: Mr. Bekman, can we --</p> <p>5 I'm going to try to share the screen.</p> <p>6 THE REPORTER: Yes. You're -- you're</p> <p>7 set up, Counsel. Oh, I'm just trying --</p> <p>8 this is the same Google Drive from</p> <p>9 previous?</p> <p>10 MR. PRESTON: Yeah. Yeah. It's a</p> <p>11 little bit different. Actually, it might</p> <p>12 -- the URL might be different.</p> <p>13 THE REPORTER: Okay.</p> <p>14 MR. HALLAK: Ethan, can you just let</p> <p>15 us know what exhibit you're referring to</p> <p>16 when you bring up documents --</p> <p>17 MR. PRESTON: This is Exhibit 150.</p> <p>18 (Exhibit 150 was marked for</p> <p>19 identification.)</p> <p>20 MR. HALLAK: Okay. Thank you.</p> <p>21 BY MR. PRESTON:</p> <p>22 Q All right. So this is a</p> <p>23 subpoena. It is a subpoena for a Rule</p> <p>24 30(b)6 deposition of AnswerNet and some</p> <p>25 affiliated companies. There we go. Do</p>	Page 15	<p>1 G. Pudles</p> <p>2 is our Vice President of TPV,</p> <p>3 Lauren Hinote, who is our -- who is our</p> <p>4 salesperson, and counsel.</p> <p>5 Q Okay. And how long has</p> <p>6 Mr. Flores been at TPV.com?</p> <p>7 A I don't know how long he's been</p> <p>8 at TPV.com, but he -- he's been with</p> <p>9 TPV.com since I acquired that company --</p> <p>10 or since Cerida Investment Corp acquired</p> <p>11 the LLC.</p> <p>12 Q Okay. Did he have a position</p> <p>13 TPV.com prior to that acquisition?</p> <p>14 A He did. He did.</p> <p>15 Q Okay. And when did that</p> <p>16 acquisition take place, if you don't mind</p> <p>17 my asking?</p> <p>18 A I believe it was 2021.</p> <p>19 Q Okay. What did you speak with</p> <p>20 Mr. Flores about?</p> <p>21 A About making sure that I knew</p> <p>22 the things I thought you would ask about.</p> <p>23 Q Okay. How did you do that</p> <p>24 without looking at the deposition notice?</p> <p>25 A Because it -- the -- the prep</p>	Page 17

<p>1 G. Pudles</p> <p>2 work was prepped by my attorneys.</p> <p>3 Q Okay.</p> <p>4 A So -- so anything I needed to</p> <p>5 see was prepared for me by my attorneys.</p> <p>6 Q Okay. And what specifically did</p> <p>7 you discuss with Mr. Flores?</p> <p>8 A What did I specifically discuss</p> <p>9 with Mr. Flores? Well, with the group and</p> <p>10 -- and there was no private conversation,</p> <p>11 so I'm not really sure where the attorney</p> <p>12 privilege lies, but we went over the -- a</p> <p>13 couple of sheets that you had sent over, a</p> <p>14 couple of reports from ours to make sure</p> <p>15 that I was correctly identifying those.</p> <p>16 And we talked about -- about what we</p> <p>17 thought you might ask and -- and how we</p> <p>18 might answer that -- how I might answer</p> <p>19 that. And my attorneys gave me advice as</p> <p>20 to, you know, as to some of the ways I was</p> <p>21 going to answer or not answer depending on</p> <p>22 the nature of the question.</p> <p>23 Q Okay. And there was another</p> <p>24 person, Laura [sic] Hinote? Did I --</p> <p>25 A Correct.</p>	<p>1 G. Pudles</p> <p>2 Q Okay. Are there any other</p> <p>3 employees who would have more information</p> <p>4 about what you assumed we were going to</p> <p>5 ask about in the deposition?</p> <p>6 A No.</p> <p>7 Q Okay. How do you know that?</p> <p>8 A Well, because I just do. I</p> <p>9 mean, I'm not sure how to even answer</p> <p>10 that, so I'll just say that nobody would</p> <p>11 know more than Lauren and Eduardo.</p> <p>12 Q Okay. Very good. What happened</p> <p>13 after the acquisition of TPV.com and I</p> <p>14 think there's another entity that's sort</p> <p>15 of involved in this called TrustedTPV --</p> <p>16 does that sound like an affiliate --</p> <p>17 A It is.</p> <p>18 Q -- of AnswerNet?</p> <p>19 A We -- we -- yes. TrustedTPV was</p> <p>20 a business whose assets we acquired.</p> <p>21 Q Okay. What happened to TPV.com</p> <p>22 and TrustedTPV? Are those entities -- do</p> <p>23 they still exist?</p> <p>24 A TPV.com, LLC exists. Trusted --</p> <p>25 Trusted may exist. I've never bought -- I</p>
<p>Page 18</p> <p>1 G. Pudles</p> <p>2 Q Okay. And what's her position?</p> <p>3 A She's in sales.</p> <p>4 Q Which entity?</p> <p>5 A She sells for the TPV companies.</p> <p>6 She works -- she works -- I -- I'm not</p> <p>7 sure which company she actually works for.</p> <p>8 I have a few. But she's --</p> <p>9 Q Yeah.</p> <p>10 A -- she's the salesperson</p> <p>11 dedicated to the TPV business. She also</p> <p>12 came from TPV.com and was very</p> <p>13 knowledgeable about the focus platform,</p> <p>14 which I believe you're going to ask about.</p> <p>15 Q I am going to ask about that.</p> <p>16 That is -- I'm grateful that we're on the</p> <p>17 same page about that. Is there any</p> <p>18 information that you sought in preparation</p> <p>19 for your deposition that you were not able</p> <p>20 to obtain?</p> <p>21 A Not that I can think of.</p> <p>22 Q Okay.</p> <p>23 A No. In fact, I know there</p> <p>24 was -- I got everything I -- I needed --</p> <p>25 at least what we thought we needed.</p>	<p>Page 20</p> <p>1 G. Pudles</p> <p>2 didn't buy the entity -- I only bought the</p> <p>3 assets.</p> <p>4 Q Okay. Who's the most senior</p> <p>5 employee at Cerida Investment?</p> <p>6 A Me.</p> <p>7 Q Okay. Who's the most senior</p> <p>8 employee at AnswerNet?</p> <p>9 A Well, AnswerNet, Inc. is me, but</p> <p>10 AnswerNet is a brand, it's not an -- it's</p> <p>11 not a corporation.</p> <p>12 Q Okay. What's the relationship</p> <p>13 between AnswerNet, Inc. and AnswerNet the</p> <p>14 brand?</p> <p>15 A AnswerNet the brand covers a</p> <p>16 number of corporations. AnswerNet, Inc.</p> <p>17 was the first company created that -- that</p> <p>18 is now part of AnswerNet.</p> <p>19 Q Okay. And so TPV.com, those --</p> <p>20 the verification records that were created</p> <p>21 during the course of defendant's business</p> <p>22 with TPV.com, who owns those assets? Who</p> <p>23 operates that business?</p> <p>24 A Well, TPV.com, LLC is owned by</p> <p>25 Cerida Investment Corp.</p>

<p>1 G. Pudles</p> <p>2 Q Okay.</p> <p>3 A Cerida Investment Corp is owned</p> <p>4 by me.</p> <p>5 Q Okay. Who's the most senior</p> <p>6 person at TPV.com?</p> <p>7 A Well, if it's not me, it's</p> <p>8 Eduardo Flores.</p> <p>9 Q Okay.</p> <p>10 A Actually -- actually, yeah -- or</p> <p>11 it -- it would be Cori Bartlett, who is my</p> <p>12 COO.</p> <p>13 Q Okay. Okay. And what about</p> <p>14 TrustedTPV?</p> <p>15 A Well, the assets of TrustedTPV</p> <p>16 were folded into -- I believe folded into</p> <p>17 TPV.com.</p> <p>18 Q Okay. Okay. So TrustedTPV sort</p> <p>19 of merged into what used to be TPV.com,</p> <p>20 but that's really now AnswerNet. Is that</p> <p>21 -- do I have that right?</p> <p>22 MR. MURDZA: Objection. Doesn't</p> <p>23 classify his testimony accurately, but you</p> <p>24 can answer.</p> <p>25 THE WITNESS: All right. So</p>	<p>1 G. Pudles</p> <p>2 they maintain -- sorry. What are the</p> <p>3 steps that they take to maintain that</p> <p>4 separation?</p> <p>5 MR. MURDZA: Objection on the grounds</p> <p>6 of relevance. Are we going to talk about</p> <p>7 Focus and TPV?</p> <p>8 MR. PRESTON: We are. I just -- but</p> <p>9 who's running focus, Mr. Murdza? It's</p> <p>10 not --</p> <p>11 MR. MURDZA: I'm not here to answer</p> <p>12 questions.</p> <p>13 MR. PRESTON: -- clear.</p> <p>14 THE WITNESS: Well, so going back to</p> <p>15 your -- could you reread the open</p> <p>16 question, please?</p> <p>17 BY MR. PRESTON:</p> <p>18 Q Sure. What steps does AnswerNet</p> <p>19 take to maintain the separation between</p> <p>20 different affiliates?</p> <p>21 A And if you're asking me what we</p> <p>22 do to keep our companies different --</p> <p>23 separated, they have separate payrolls,</p> <p>24 they have separate bank accounts. They</p> <p>25 have -- they have separate, you know --</p>
<p>Page 22</p> <p>1 G. Pudles</p> <p>2 AnswerNet is brand. So to the extent that</p> <p>3 all of these brands are now part of</p> <p>4 AnswerNet and operate under the brand</p> <p>5 AnswerNet TPV, we bought the member</p> <p>6 interests of -- of TPV.com, LLC. So</p> <p>7 Cerida owns a 100 percent of the member</p> <p>8 interests. And Cerida also bought the</p> <p>9 operating assets of Sales Verification,</p> <p>10 LLC, which, you know, as Trusted.</p> <p>11 BY MR. PRESTON:</p> <p>12 Q TrustedTPV?</p> <p>13 A Correct.</p> <p>14 Q Okay.</p> <p>15 A So they're operated -- they're</p> <p>16 operated as one business under the</p> <p>17 AnswerNet brand.</p> <p>18 Q How then does AnswerNet</p> <p>19 distinguish between the different</p> <p>20 affiliates?</p> <p>21 A Wow, I'm not really sure. We --</p> <p>22 we work very hard to keep our various</p> <p>23 affiliates separate, so I'm not really</p> <p>24 sure what you are trying to ask.</p> <p>25 Q Well, what are the steps that</p>	<p>Page 24</p> <p>1 G. Pudles</p> <p>2 you know, they have separate existences.</p> <p>3 We have separate, you know, registrations</p> <p>4 in separate states.</p> <p>5 Q Okay. Okay. See if I can get</p> <p>6 this in front of me. So I'm going to</p> <p>7 upload another exhibit. I'm going to try</p> <p>8 to share it again with y'all. Share</p> <p>9 another one. All right. So this is a</p> <p>10 letter I received from Ashly McGarity.</p> <p>11 (Exhibit 151 was marked for</p> <p>12 identification.)</p> <p>13 Have you ever seen this letter</p> <p>14 before?</p> <p>15 A No.</p> <p>16 Q Okay. So there's a -- I'm going</p> <p>17 to highlight a paragraph.</p> <p>18 A Mm-hmm.</p> <p>19 Q Is this a correct statement?</p> <p>20 This --</p> <p>21 A It is.</p> <p>22 Q Okay. So by way of background,</p> <p>23 on June 18, 2021, Cerida acquired the</p> <p>24 member interest of TPV.com, a transaction</p> <p>25 which did not involve AnswerNet. All</p>

<p>1 G. Pudles</p> <p>2 right.</p> <p>3 A Which did not involve AnswerNet,</p> <p>4 Inc.</p> <p>5 Q Right. Okay. Do you know how</p> <p>6 TPV.com's procedures changed after this</p> <p>7 acquisition?</p> <p>8 A Wow. Which procedures</p> <p>9 specifically are you talking about?</p> <p>10 Q Fair enough. Their verification</p> <p>11 of enrollments for defendants and their</p> <p>12 communication policies with respect to</p> <p>13 communications with the defendants.</p> <p>14 A They did not change. They did</p> <p>15 not change.</p> <p>16 Q Okay. We're going to roll out</p> <p>17 of that. Does Ms. McGarity have any</p> <p>18 technical background?</p> <p>19 A I wouldn't know --</p> <p>20 MR. MURDZA: Objection, relevance,</p> <p>21 but you can answer.</p> <p>22 BY MR. PRESTON:</p> <p>23 Q Let me rephrase that. Does she</p> <p>24 have any involvement in the technical or</p> <p>25 database side of AnswerNet?</p>	<p>1 G. Pudles</p> <p>2 was not clear. Which entity -- which</p> <p>3 AnswerNet affiliate controls the documents</p> <p>4 responsive to requests five and six in</p> <p>5 Exhibit 152. Is that Cerida or TPV, LLC?</p> <p>6 A I would say that that's TPV. I</p> <p>7 would say that's TPV. TPV controls the --</p> <p>8 the documents. They might get support</p> <p>9 from some of the other entities, but the</p> <p>10 control of the documents -- would be in</p> <p>11 TPV.</p> <p>12 Q Okay.</p> <p>13 A But to be very clear, 'cause I</p> <p>14 don't want to be unclear, I believe</p> <p>15 that -- I -- I believe you would say that</p> <p>16 much of -- many of the documents are --</p> <p>17 are -- the infrastructure for holding</p> <p>18 those documents are not -- are not</p> <p>19 controlled by TPV. So we have an</p> <p>20 infrastructure -- an internal</p> <p>21 infrastructure that stuff -- but the</p> <p>22 documents themselves and the knowledge in</p> <p>23 them would be controlled by TPV.</p> <p>24 Q So when you say TPV in your</p> <p>25 answer, you're referring to TPV.com, the</p>
<p>Page 26</p> <p>1 G. Pudles</p> <p>2 A No.</p> <p>3 Q Or any of the affiliates?</p> <p>4 A No.</p> <p>5 Q Okay. Add another. I'm going</p> <p>6 to add another exhibit. Going to save</p> <p>7 that with y'all. Try to get it up on the</p> <p>8 screen. All right. So this is a subpoena</p> <p>9 duces tecum that was served on TPV, LLC</p> <p>10 and Cerida Investment.</p> <p>11 (Exhibit 152 was marked for</p> <p>12 identification.)</p> <p>13 I want to scroll down to</p> <p>14 requests one, five, and six. One involves</p> <p>15 documents concerning Nock, and I don't</p> <p>16 want to belabor that point, but five and</p> <p>17 six involve communications with defendants</p> <p>18 during the class period and communications</p> <p>19 with sales agents who enrolled consumers</p> <p>20 with the defendants during the class</p> <p>21 period. And I want to ask who controls</p> <p>22 these documents?</p> <p>23 A I believe you've been working</p> <p>24 with our attorneys.</p> <p>25 Q No, no. Sorry. That question</p>	<p>Page 28</p> <p>1 G. Pudles</p> <p>2 TPV, LLC entity --</p> <p>3 A Correct.</p> <p>4 Q -- because TPV is an acronym</p> <p>5 that you guys use in your industry;</p> <p>6 correct?</p> <p>7 A TPV is an acronym stands for</p> <p>8 third party verification.</p> <p>9 Q Right. And your prior answer</p> <p>10 just now concerning who controls things,</p> <p>11 what you're really talking about is</p> <p>12 TPV.com, which is a specific LLC?</p> <p>13 A Correct.</p> <p>14 Q Correct? Okay. So I'm going to</p> <p>15 upload another document, and this is</p> <p>16 Exhibit 107. Get rid of that.</p> <p>17 (Exhibit 107 was marked for</p> <p>18 identification.)</p> <p>19 All right. Mr. Pudles, you</p> <p>20 should have -- you should be able to see</p> <p>21 another exhibit that we've prepared and it</p> <p>22 lists the full names of some of the</p> <p>23 defendants. Do you see that?</p> <p>24 A I do.</p> <p>25 Q Okay. And this is Exhibit 107.</p>

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8 (Pages 26 - 29)

1 G. Pudles  
 2 And I want to ask, do you know who these  
 3 companies are?  
 4 A I do.  
 5 Q Okay. And how do you  
 6 distinguish between these three companies?  
 7 A How do I distinguish between  
 8 those three companies? I'm not sure what  
 9 you mean.  
 10 Q Well, there are three different  
 11 companies somewhat similar to AnswerNet's  
 12 different affiliates. I'd like to  
 13 understand, you know, from AnswerNet's  
 14 perspective how these three companies are  
 15 different.  
 16 MR. HALLAK: Objection to the form of  
 17 the question.  
 18 A The -- I don't know the legal  
 19 underpinnings of RRH. What I know is that  
 20 when they sign up for a particular service  
 21 in a particular state -- when they sign up  
 22 for TPV service in a particular state or  
 23 in a particular -- with a particular  
 24 product, they will tell us the legal  
 25 entity that operates that product in that

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1 G. Pudles  
 2 an objection.  
 3 Q Sure. But he's not being  
 4 deposed. You are.  
 5 MR. HALLAK: So, Ethan, as long as  
 6 that's just how you're referring to them  
 7 for purposes of this deposition, that's  
 8 fine.  
 9 BY MR. PRESTON:  
 10 Q Okay. We'll take that under  
 11 advisement. Get rid of that exhibit. And  
 12 do you recognize -- sorry. I got rid of  
 13 that too soon. Do you recognize this?  
 14 Can you still see that last exhibit -- the  
 15 107?  
 16 A I -- I'm looking at the list of  
 17 names where the first three names are,  
 18 Spring Energy RRH, RRH Energy Services,  
 19 and Richmond Road Holdings.  
 20 Q All right. And I also want to  
 21 ask, do you recognize some of the other  
 22 names that I've just highlighted?  
 23 Endurance Sales, Lone Star Marketing --  
 24 A I can't -- I can't see anything  
 25 other than the line up to Retail Energy

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1 G. Pudles  
 2 state. And that's all we need to know.  
 3 Q Okay.  
 4 A For me -- for me, it's -- for  
 5 me, it's one guy. And when that guy  
 6 calls, I jump.  
 7 Q Okay. And who is that guy?  
 8 A Greg Hasiak.  
 9 Q Okay. Okay. And so as far as  
 10 you're concerned, Mr. Hasiak, when he's  
 11 calling you, he's calling -- it could be  
 12 on behalf of any of those entities?  
 13 A Or any other entity that he  
 14 might have an interest in.  
 15 Q Okay. And your relationship  
 16 with him would be sort of defined at the  
 17 level of whatever contractor arrangement  
 18 you are operating under at that time?  
 19 A Correct.  
 20 Q Okay. Go back. So can I talk  
 21 about these defendants as a group? Can I  
 22 just refer to them as RRH or as  
 23 defendants? Would that be okay with you?  
 24 A I'm -- I'm here for you. I  
 25 guess that would be Mr. Hallak, if he had

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1 G. Pudles  
 2 Solutions.  
 3 Q Okay. I'm going to restart it.  
 4 How about now?  
 5 A I recognize the name Endurance  
 6 Sales and Marketing, and I don't recognize  
 7 any of the other names.  
 8 Q Okay. And what about these  
 9 names? NSL Marketing, Neil St. Louis?  
 10 No?  
 11 A No. Don't know those either.  
 12 Q Okay. What do you know about  
 13 Endurance Sales?  
 14 A They -- they were a seller for  
 15 RRH and RRH has sued them because RRH  
 16 believes that -- well, whatever is in the  
 17 lawsuit. I -- what I know is that they  
 18 were a seller for RRH and that they are  
 19 now engaged in a lawsuit that RRH has  
 20 initiated.  
 21 Q Okay. Going to upload some more  
 22 exhibits, make sure that you have  
 23 everything. All right. So this is a  
 24 contract between TPV and the defendants.  
 25 //

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9 (Pages 30 - 33)

1 G. Pudles  
 2 (Exhibit 113 was marked for  
 3 identification.)  
 4 Can you see this, Mr. Pudles --  
 5 this exhibit --  
 6 A I can.  
 7 Q Okay. And so my question is,  
 8 why did Richmond Road Holdings sign this  
 9 agreement?  
 10 MR. HALLAK: Objection to form.  
 11 A Because they wanted to acquire  
 12 services from TPV.com.  
 13 Q Sure.  
 14 A By the way, that's pure  
 15 speculation, but that's usually why  
 16 somebody signs a contract.  
 17 Q Sure. I guess that's not the  
 18 nub of my question. The defendants have a  
 19 number of affiliates like AnswerNet, but  
 20 in this case they signed with the holding  
 21 company. And so they have been unable to  
 22 tell me why they signed with the holding  
 23 company. And so I assume -- presume that  
 24 this is a requirement of TPV.com. And I  
 25 wanted to ask why did TPV.com want to have

1 G. Pudles  
 2 trucking, and I'll stop singing The  
 3 Grateful Dead.  
 4 Q Yeah, that's great. All right.  
 5 So when did TPV.com start collecting GPS  
 6 data for the defendant's enrollments?  
 7 A Sometime prior to my ownership.  
 8 Q Okay. And do you know -- did  
 9 that not come up with Mr. Flores or  
 10 Ms. Hinote?  
 11 A No, I -- it -- it is my  
 12 understanding that that's been a part of  
 13 the system since the TPV.com system was  
 14 launched prior to my ownership.  
 15 Q Okay.  
 16 A I know that it was done prior,  
 17 because when we acquired it, it was  
 18 already being done.  
 19 Q Okay. How does the defendant's  
 20 business compare to other AnswerNet  
 21 customers who are in the retail energy  
 22 space?  
 23 MR. MURDZA: Objection to form --  
 24 A I'm not -- I'm not sure what you  
 25 mean, but other than --

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1 G. Pudles  
 2 an agreement with the holding company for  
 3 defendants?  
 4 A I don't --  
 5 MR. HALLAK: Objection -- hold on,  
 6 Gary. Let me just put an objection on the  
 7 record. Objection to the form of the  
 8 question and to the characterization of  
 9 the any defendant's testimony in this  
 10 matter. Okay. You can continue, Gary --  
 11 MR. MURDZA: I object on the grounds  
 12 that that assumes a conclusion and also  
 13 calls for speculation. Mr. Pudles can  
 14 answer if he understands.  
 15 THE WITNESS: So I have no idea why  
 16 the parties entered into the agreement  
 17 using the name Richmond Road Holdings.  
 18 BY MR. PRESTON:  
 19 Q Okay. And we're getting into  
 20 closer to the heartland of this  
 21 deposition. I don't know if you guys want  
 22 to take a break. We've been going for  
 23 40 minutes. You want want to keep  
 24 trucking?  
 25 A Trucking, yeah. Let's keep

1 G. Pudles  
 2 Q Is there anything --  
 3 THE REPORTER: Counsel, that --  
 4 Counsel Hallak, that was an objection as  
 5 well to form?  
 6 MR. HALLAK: Yeah, yeah. Same  
 7 objection to form.  
 8 THE REPORTER: Yeah, it was just --  
 9 just garbled. Thank you.  
 10 BY MR. PRESTON:  
 11 Q Is there anything unusual or  
 12 distinctive about their business, or is it  
 13 pretty much consistent with other retail  
 14 energy suppliers?  
 15 A It's pretty much consistent --  
 16 THE REPORTER: Counsel Hallak, you  
 17 broke up again. That was objection to the  
 18 form of the question?  
 19 MR. HALLAK: Objection to the form of  
 20 the question. Yes. Thank you.  
 21 THE REPORTER: Thank -- thank you,  
 22 Counsel.  
 23 THE WITNESS: And the -- the work  
 24 that we do is pretty much consistent  
 25 across our TPV customer base.

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10 (Pages 34 - 37)

<p>1 G. Pudles  2 BY MR. PRESTON:  3 Q Okay. Does TPV.com still  4 provide services to defendants today?  5 A I believe we -- we may have a  6 little, but I -- I also -- part of me  7 believes that they may be on hiatus right  8 now. I believe they are on hiatus.  9 Q Okay. And --  10 A And so I don't believe -- I  11 don't believe they're currently selling.  12 Q Okay. Do you know when they  13 went on the hiatus?  14 A I don't. I don't, but if it's  15 relevant or important, I'm certain I can  16 get that back to you.  17 Q Okay. I think it would -- it  18 probably might be useful. So in your  19 business --  20 A Sorry -- David make a note,  21 please.  22 MR. MURDZA: I'm doing that now.  23 THE WITNESS: Okay.  24 BY MR. PRESTON:  25 Q Has AnswerNet communicated with </p>	<p>1 G. Pudles  2 counsel and with some folks, and I don't  3 remember who over at -- other than I know  4 Greg wasn't on the call, and I think it  5 was all lawyers and maybe somebody  6 internally about the lawsuit generally.  7 BY MR. PRESTON:  8 Q Okay. And what was the content  9 of that conversation?  10 MR. MURDZA: Objection, privilege.  11 MR. PRESTON: Sorry. You say  12 privilege, but I'm confused. I'm talking  13 about communications between AnswerNet,  14 and the affiliates, and the defendants,  15 and so I'm not sure how that would be  16 privileged.  17 MR. MURDZA: I'm not sure what type  18 of conversations you're asking --  19 THE WITNESS: I'm talking about the  20 one conversation we had as a group, you,  21 me, and some folks over there. I don't  22 remember who was on it from their side.  23 We had one conversation.  24 MR. MURDZA: I don't remember who --  25 if any defendants were involved in that. </p>
<p>Page 38</p> <p>1 G. Pudles  2 the defendants about this subpoena?  3 MR. MURDZA: Objection.  4 BY MR. PRESTON:  5 Q About this case?  6 MR. MURDZA: Objection, privilege.  7 There's been lots of communications by  8 answering that, Counsel, with yourself and  9 other counsel, including calls that you  10 were on relative to this matter. So he  11 can answer as to AnswerNet the operating  12 entity, but I do want to be clear that  13 when it involves discussions with myself  14 or Ashly McGarity, of which there's been  15 several, those are privileged.  16 MR. PRESTON: Sure. But I'm talking  17 about communications between AnswerNet or  18 its affiliates and defendants.  19 THE WITNESS: I can only speak to my  20 conversations. I know there have been  21 conversations between the attorneys.  22 Nobody else in the company would talk to  23 anybody at RRH to my knowledge about  24 anything with the lawsuit. I had one  25 conversation regarding the lawsuit with my </p>	<p>Page 40</p> <p>1 G. Pudles  2 BY MR. PRESTON:  3 Q Is there a joint defense  4 agreement between AnswerNet and the  5 defendants?  6 A There is not. Not to my  7 knowledge.  8 Q Okay. Okay. So, and this gets  9 back to our -- kind of core of this  10 deposition. Your business involves  11 verifying enrollments of door-to-door  12 salespeople; correct?  13 A That's part of it, yes.  14 Q Do you have a sense of how much  15 travel -- let me rephrase. How much does  16 the average door-to-door salesperson  17 travel in a typical day?  18 A I wouldn't know. I'm not in  19 a -- I'm not a -- in the door-to-door  20 business.  21 Q But you're measuring in --  22 you're verifying their enrollments and  23 you're taking their GPS data as part of  24 that verification.  25 A Okay. </p>

<p>1 G. Pudles</p> <p>2 Q So you would have some data</p> <p>3 about how much they're traveling from</p> <p>4 enrollment to enrollment; correct?</p> <p>5 A The system -- that data would</p> <p>6 live on the system, yes.</p> <p>7 Q Okay. And does AnswerNet ever</p> <p>8 look at that GPS data to assess, you know,</p> <p>9 how much travel a typical door-to-door</p> <p>10 salesperson would do in a typical day?</p> <p>11 A No.</p> <p>12 Q Okay. So there's no baseline --</p> <p>13 AnswerNet does not have any baseline to</p> <p>14 evaluate whether or not a door-to-door</p> <p>15 salesperson has traveled an unusual</p> <p>16 distance and to evaluate their</p> <p>17 enrollments? Does that -- so if the</p> <p>18 typical door-to-door salesperson travels</p> <p>19 five miles in a day and one particular</p> <p>20 door-to-door salesperson travels a hundred</p> <p>21 miles in a day, that would not create any</p> <p>22 red flags over at AnswerNet or TPV.com?</p> <p>23 MR. MURDZA: Objection to form --</p> <p>24 MR. HALLAK: -- form the question.</p> <p>25 A Correct.</p>	<p>1 G. Pudles</p> <p>2 this is Exhibit, shoot, 149. Yeah.</p> <p>3 Exhibit 149. All right. Have you ever</p> <p>4 seen this document before?</p> <p>5 (Exhibit 149 was marked for</p> <p>6 identification.)</p> <p>7 A Nope.</p> <p>8 Q Okay. So this is an</p> <p>9 interrogatory answer that defendants</p> <p>10 served on plaintiffs. I'm going to read</p> <p>11 the last sentence here. "Defendants state</p> <p>12 that the GPS coordinates contained in</p> <p>13 defendant's enrollment records were</p> <p>14 obtained through a platform created by</p> <p>15 TPV.com that utilized Google Location</p> <p>16 Services to attempt to capture the GPS</p> <p>17 coordinates of sales agents, customers,</p> <p>18 and service addresses." Is that -- I'm</p> <p>19 going to state that defendants have</p> <p>20 indicated that they rely on TPV.com to</p> <p>21 collect GPS data; is that correct?</p> <p>22 A Yes.</p> <p>23 Q Okay. And that TPV.com used</p> <p>24 Google Location Services; is that correct?</p> <p>25 A Yes.</p>
<p>Page 42</p> <p>1 G. Pudles</p> <p>2 Q Okay. Is that not part of the</p> <p>3 job for AnswerNet or TPV.com?</p> <p>4 A No. It is not part of the job</p> <p>5 unless the client asks us to make it part</p> <p>6 of the job.</p> <p>7 Q Okay. And do you have any sense</p> <p>8 of how long a typical door-to-door</p> <p>9 enrollment takes?</p> <p>10 MR. HALLAK: Objection to the form of</p> <p>11 the question.</p> <p>12 A Yeah. I -- I don't particularly</p> <p>13 have a sense of how long an enrollment</p> <p>14 takes -- the average enrollment takes --</p> <p>15 not one that I could give across multiple</p> <p>16 -- not one that I could give across the</p> <p>17 business as a whole. I can tell you maybe</p> <p>18 how long an average TPV might take, but</p> <p>19 not the enrollment itself. We're not</p> <p>20 involved -- we're -- we're generally only</p> <p>21 involved in part of the enrollment</p> <p>22 process, and that's the part that drives</p> <p>23 the TPV.</p> <p>24 Q Okay. So I'm going to share</p> <p>25 another document. This is also uploaded,</p>	<p>Page 44</p> <p>1 G. Pudles</p> <p>2 Q Okay. And is it fair for</p> <p>3 plaintiff or anyone else in this case to</p> <p>4 rely on Google Maps data to review the GPS</p> <p>5 coordinates from the defendant's</p> <p>6 enrollment records? Is that a valid way</p> <p>7 of analyzing those records?</p> <p>8 MR. MURDZA: Objection. Calls for</p> <p>9 speculation.</p> <p>10 MR. HALLAK: Objection to the</p> <p>11 question as well.</p> <p>12 THE WITNESS: So if you're asking</p> <p>13 we're using Google data, so is it fair to</p> <p>14 say that you can use Google Data to look</p> <p>15 up things on Google -- on Google Maps? I</p> <p>16 would say that would seem to make sense to</p> <p>17 me.</p> <p>18 BY MR. PRESTON:</p> <p>19 Q Right. And so another way of</p> <p>20 perhaps asking the same question that</p> <p>21 won't draw an objection is would you</p> <p>22 expect AnswerNet's GPS coordinates to</p> <p>23 generally be consistent with Google Maps?</p> <p>24 A Yes.</p> <p>25 Q Okay. When did TPV.com start --</p>

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12 (Pages 42 - 45)

<p>1 G. Pudles</p> <p>2 I've answered this already. Was</p> <p>3 collecting GPS coordinates for TPV --</p> <p>4 sorry, excuse me. Did defendants require</p> <p>5 TPV.com to collect GPS coordinates of</p> <p>6 these sales enrollments as part of the</p> <p>7 contract between TPV.com and Richmond Road</p> <p>8 Holdings?</p> <p>9 A Yes.</p> <p>10 Q Okay.</p> <p>11 A Well, let me just say we did it,</p> <p>12 I'm assuming it's part of the contract,</p> <p>13 but the contract itself would speak for</p> <p>14 itself.</p> <p>15 Q Okay.</p> <p>16 A I don't -- I don't want to speak</p> <p>17 to the contract, because I certainly</p> <p>18 haven't reviewed it and I certainly don't</p> <p>19 have it memorized.</p> <p>20 Q Okay. So I'm going to scroll</p> <p>21 down in the same contract and there's a</p> <p>22 document called Focus Location Services</p> <p>23 overview. Do you recognize this document?</p> <p>24 A I do.</p> <p>25 Q Okay. Whose document is this?</p>	<p>1 G. Pudles</p> <p>2 A Yep. Yes, it is.</p> <p>3 Q Is the past tense correct?</p> <p>4 A It is.</p> <p>5 Q Okay. So what does the Focus</p> <p>6 platform use now?</p> <p>7 A I believe it still uses Google</p> <p>8 Location Services.</p> <p>9 Q Okay. And this would've been</p> <p>10 correct in 2021?</p> <p>11 A I believe so, yes.</p> <p>12 Q Okay. How does the Focus</p> <p>13 platform collect Google Location Services</p> <p>14 GPS coordinates?</p> <p>15 A Generally, by, you know, using</p> <p>16 the GPS data from the mobile device as it</p> <p>17 says in the next part.</p> <p>18 Q Okay. And so how are those GPS</p> <p>19 coordinates transmitted to TPV.com?</p> <p>20 A So when the Focus application is</p> <p>21 open on the mobile device from different</p> <p>22 parts of the workflow of focus, it will</p> <p>23 grab the coordinates from the mobile</p> <p>24 device.</p> <p>25 Q So is there a separate mobile</p>
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<p>1 G. Pudles</p> <p>2 information. I'm not going to reply to</p> <p>3 that. We're using technology in different</p> <p>4 forms of technology to stop that, but</p> <p>5 that's confidential to our business,</p> <p>6 because what we're about to --</p> <p>7 Q Okay.</p> <p>8 A -- what -- what we're about to</p> <p>9 launch is going to be revolutionary.</p> <p>10 Q Okay. So these are procedures</p> <p>11 that are not yet on the market?</p> <p>12 A Some are and some are not.</p> <p>13 Q When the procedures -- let's</p> <p>14 just talk about the procedures that are</p> <p>15 now on the market. I don't think I need</p> <p>16 to inquire into your, you know, future</p> <p>17 business plans. But stuff that's already</p> <p>18 on the market, when did it go on the</p> <p>19 market?</p> <p>20 A For us it was earlier this year.</p> <p>21 I don't remember exactly.</p> <p>22 Q Okay. Okay. Was AnswerNet</p> <p>23 involved in any quality assurance process</p> <p>24 with defendants with respect to any of the</p> <p>25 customers identified in this email at</p>	<p>1 G. Pudles</p> <p>2 call, that's something that would be</p> <p>3 relayed to the client?</p> <p>4 MR. MURDZA: Objection to form.</p> <p>5 MR. HALLAK: Same.</p> <p>6 A In this case, we weren't asked</p> <p>7 to do this. Spring Energy never asked us</p> <p>8 to do this. So the answer to that is we</p> <p>9 didn't do it for this client.</p> <p>10 Q Okay. Is that something that</p> <p>11 AnswerNet ever does?</p> <p>12 MR. MURDZA: Objection. Relevance.</p> <p>13 We're here to talk about Spring Energy.</p> <p>14 A Yeah, I -- I'm -- unless I'm an</p> <p>15 -- I'm being asked to be an expert in TPV,</p> <p>16 you know, again, I'm --</p> <p>17 Q Well --</p> <p>18 A -- I didn't want to be here for</p> <p>19 the entire three hours. As you know, I</p> <p>20 really didn't want to be here at all. So</p> <p>21 let's -- let's stick to the facts that I</p> <p>22 can give you and about the system, but I'm</p> <p>23 not here --</p> <p>24 A Sure.</p> <p>25 A -- TPV police.</p>
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1 G. Pudles  
 2 come through our system or that are  
 3 presented to us.  
 4 Q Sure. Let me rephrase that.  
 5 Does AnswerNet make verification calls for  
 6 every enrollment that is made through the  
 7 TPV.com process?  
 8 A No.  
 9 Q When do they not make calls?  
 10 A When the call comes into us.  
 11 Q Oh. Okay. Is there a  
 12 script that AnswerNet uses for these  
 13 calls?  
 14 A When it -- when it requires an  
 15 agent, there is a script, yes.  
 16 Q Okay. And who provides those  
 17 scripts?  
 18 A In general terms, they're  
 19 jointly created between the customer and  
 20 our client solutions team.  
 21 Q Okay. So AnswerNet does make  
 22 calls -- outgoing verification -- excuse  
 23 me. AnswerNet does make outgoing  
 24 verification calls to potential enrollees;  
 25 correct?

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1 G. Pudles  
 2 A Yes.  
 3 Q What is that reason?  
 4 A If -- it depends on what -- what  
 5 platform you're using at the time. Again,  
 6 I'm not going to sit here and explain my  
 7 business. If you want to talk about the  
 8 platform that was in use at the time of  
 9 your complaint, I'm happy to talk -- and  
 10 -- and what we use for -- for the time in  
 11 your complaint. But -- but seriously, we  
 12 -- we're an hour twenty into this and now  
 13 you're asking me to teach you about my  
 14 business, which is really not my purpose  
 15 here, please.  
 16 Q Sure. During the time of the  
 17 events in the complaint, what platforms  
 18 were used?  
 19 A By -- by the TPV.com group, it  
 20 was the Twilio platform.  
 21 Q Okay, perfect. Thank you. Did  
 22 AnswerNet do anything to detect or prevent  
 23 enrollments which are made by telephone  
 24 but where the sales agent coached the  
 25 customer to say they met the salesperson

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1 G. Pudles  
 2 A Correct.  
 3 Q Okay. Do you know the caller ID  
 4 that is used for those calls?  
 5 A Caller ID that is used in those?  
 6 No. I don't actually.  
 7 Q Let me ask another question that  
 8 might be a little bit more to the point --  
 9 A But I believe it's our -- it's  
 10 our caller ID, not the clients.  
 11 Q Okay. Does AnswerNet use Twilio  
 12 to make those calls?  
 13 A Sometimes.  
 14 Q Okay. Is there -- are there any  
 15 other platforms that are used to make  
 16 verification calls?  
 17 A Yes.  
 18 Q What are those platforms?  
 19 A The other platform we use is  
 20 called VCC, Virtual Call Center.  
 21 Sometimes we make calls on that platform  
 22 as well.  
 23 Q Is there a reason why you would  
 24 make a call on one platform versus the  
 25 other?

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1 G. Pudles  
 2 in person?  
 3 MR. MURDZA: Objection to form.  
 4 MR. HALLAK: Objection to the form of  
 5 the question.  
 6 THE REPORTER: A double? Two  
 7 objections, Counsel? Thank you.  
 8 THE WITNESS: Stereo objections. So,  
 9 I'm sorry, could you ask the question  
 10 again with understanding there -- both --  
 11 both counsel object?  
 12 BY MR. PRESTON:  
 13 Q Sure. Yeah, yeah, yeah. Does  
 14 AnswerNet -- excuse me, let me back up.  
 15 Did AnswerNet do anything to detect or  
 16 prevent enrollments, which were -- were  
 17 made over the telephone, but where the  
 18 sales agent coached the customer to say  
 19 that they met with the sales agent in  
 20 person?  
 21 MR. HALLAK: I'll renew that  
 22 objection to the form of the question.  
 23 A And that's -- that's a question  
 24 that is -- that -- that assumes -- that  
 25 assumes something that I can't testify to.

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18 (Pages 66 - 69)



<p>1 G. Pudles</p> <p>2 retention agreements with our clients.</p> <p>3 Q Is it possible for you to copy</p> <p>4 that URL and see if you can find that</p> <p>5 record?</p> <p>6 A Well, I'm -- I'm -- if you will</p> <p>7 email it to counsel, I will double check</p> <p>8 for that. I can't look it up myself right</p> <p>9 now, but I'm -- I'm going to ask before I</p> <p>10 agree to do that, you know, A, who's</p> <p>11 paying for my time to do that? And B, you</p> <p>12 have a document. If there's a -- a</p> <p>13 purpose for me to -- to say yes or no that</p> <p>14 it's there -- that it's still somewhere</p> <p>15 you have it, and if you have it, then it</p> <p>16 was given to you by counsel. So the</p> <p>17 answer is I'm not going to go chasing</p> <p>18 around.</p> <p>19 I, you know -- I -- I agreed to</p> <p>20 three hours, and we've already -- we've</p> <p>21 already over -- overspent time. So the</p> <p>22 answer is I could see it, but I'm not</p> <p>23 going to offer to do that unless you're</p> <p>24 going to offer to pay my team for my time</p> <p>25 to do that.</p>	<p>1 G. Pudles</p> <p>2 Q Can you tell me what kind of</p> <p>3 servers were in place in 2021?</p> <p>4 A No. Other than just say</p> <p>5 cloud-based servers likely in AWS. That's</p> <p>6 all I can tell you.</p> <p>7 Q Okay. All right. So I've</p> <p>8 uploaded another document. And I'll share</p> <p>9 it. So this is a -- it's an email, but it</p> <p>10 has attached a bunch of garbage of how</p> <p>11 that happened.</p> <p>12 (Exhibit 153 was marked for</p> <p>13 identification.)</p> <p>14 But get to the relevant point</p> <p>15 very quickly. So this is the Spring</p> <p>16 door-to-door easy TPV user guide. Do you</p> <p>17 recognize this document?</p> <p>18 A I do.</p> <p>19 Q Okay. Did AnswerNet have any</p> <p>20 involvement in creating this document?</p> <p>21 A Depends on what the date of this</p> <p>22 document is.</p> <p>23 Q Well, it would be in 2021. So I</p> <p>24 guess my question is probably better</p> <p>25 framed as did TPV.com have any role in</p>
<p>Page 74</p>	<p>Page 75</p>



1 G. Pudles  
 2 the email is really for telemarketing, not  
 3 for door-to-door sales?  
 4 MR. MURDZA: No --  
 5 MR. HALLAK: Objection, form.  
 6 THE WITNESS: Sorry.  
 7 MR. PRESTON: Okay.  
 8 THE WITNESS: Did you -- you get the  
 9 objection, Mr. Court Reporter?  
 10 MR. PRESTON: Always --  
 11 THE REPORTER: Thank you. I was  
 12 going to interrupt after. I appreciate  
 13 that. That -- was that both?  
 14 MR. MURDZA: Yes.  
 15 THE REPORTER: Thank you. Two  
 16 objections.  
 17 MR. MURDZA: Yeah.  
 18 THE REPORTER:  
 19 THE WITNESS: Stereo -- stereo  
 20 objections, and it's both. It's -- it's  
 21 both. The transaction happens -- in a  
 22 way, the transaction always happens over  
 23 the web.  
 24 BY MR. PRESTON:  
 25 Q Okay.

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1 G. Pudles  
 2 Q Okay. So there is some  
 3 screening that AnswerNet does to avoid  
 4 fraud; correct?  
 5 A There are some screening that  
 6 AnswerNet does that does -- yes, that is  
 7 correct.  
 8 Q Okay. So what data is screened  
 9 to detect fraud by AnswerNet during this  
 10 time -- during, you know, spring of 2021?  
 11 A Without -- without having  
 12 something in front of me, I know that we  
 13 do VoIP numbers. I -- I know that -- I  
 14 know that there's a few, and I -- and I  
 15 can't tell you -- I don't have the  
 16 entirety of the process memorized, but  
 17 there were things that -- that the client  
 18 will say, if this is -- so, for example,  
 19 one of the things that we would do for a  
 20 door-to-door person is if they -- and --  
 21 and I don't know the numbers -- but if we  
 22 saw a door-to-door sales agent making  
 23 sales -- sales too rapidly, that would  
 24 lead you to believe that they're  
 25 potentially a problem. And -- and these

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1 G. Pudles  
 2 A The transaction's always  
 3 happening over the web, because it's a  
 4 SaaS application that's capturing the data  
 5 and do -- and managing the workflow.  
 6 Q Okay. Is there a situation  
 7 where a door-to-door sales agent would be  
 8 using a desktop computer to do either the  
 9 enrollment or any of the follow-up work  
 10 that's involved in the process?  
 11 MR. MURDZA: I'm going to object,  
 12 because it calls for speculation. He's  
 13 already testified that AnswerNet doesn't  
 14 employ or direct the door-to-door sales --  
 15 A Yeah. We're not in the door to todo  
 16 business, Counsel. And again, I can  
 17 testify to what -- what I know and what I  
 18 believe, but, you know, I'm --  
 19 Q Okay. Does AnswerNet screen for  
 20 non-fixed VoIP numbers that are used in  
 21 the enrollment process?  
 22 A Yes.  
 23 Q Okay. And why does it do that?  
 24 A Because the use of a VoIP number  
 25 can often indicate fraud.

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1 G. Pudles  
 2 are the things on the -- what you have on  
 3 the -- on the alerts.  
 4 So if you look on the alerts and  
 5 if you -- if you'd like -- if you'd like  
 6 to bring up the alert page that I know you  
 7 have or a document about the alerts, I'm  
 8 happy to go through them, and tell -- and  
 9 -- and testify as to the alerts.  
 10 Q Okay. I'm going to tell you I'm  
 11 not sure exactly which alerts you're  
 12 talking to, but -- talking about rather,  
 13 but my next question is does TPV.com  
 14 screen for VPNs?  
 15 A Yes, we do. We didn't then. We  
 16 do now.  
 17 Q Okay. When did it start  
 18 screening for VPNs?  
 19 A Earlier this year.  
 20 Q I see. Was there a reason why  
 21 AnswerNet did not screen for VPN use prior  
 22 to 2024?  
 23 A Yes.  
 24 Q What was that reason?  
 25 A Wasn't part of our technology

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22 (Pages 82 - 85)

<p>1 G. Pudles</p> <p>2 stack.</p> <p>3 Q Okay. Can sales agents access</p> <p>4 Easy TPV in the desktop mode?</p> <p>5 A Yes.</p> <p>6 Q I mean, is that a possibility?</p> <p>7 They can?</p> <p>8 A Yes.</p> <p>9 Q Okay. Can door-to-door sales</p> <p>10 agents access Easy TPV in the desktop</p> <p>11 mode?</p> <p>12 A I couldn't tell you, because I</p> <p>13 don't know about door -- you know, where</p> <p>14 -- how door-to-door agents access and what</p> <p>15 they use to access.</p> <p>16 Q Okay. Does AnswerNet keep track</p> <p>17 of the user agent that's transmitted over</p> <p>18 HTTP?</p> <p>19 A I have no idea what you just</p> <p>20 said.</p> <p>21 Q So part of what's collected over</p> <p>22 HTTP can be a set of data that's generally</p> <p>23 referred to as user agent, which involves</p> <p>24 the kind of browser and then some</p> <p>25 information about the -- you know, maybe</p>	<p>1 G. Pudles</p> <p>2 BY MR. PRESTON:</p> <p>3 Q I think you indicated -- you</p> <p>4 referred me to a different document,</p> <p>5 Mr. Pudles, and I appreciate that and</p> <p>6 we'll probably get to that document a</p> <p>7 little bit later. But I wanted to ask</p> <p>8 whether or not sitting here as you are</p> <p>9 today, do you know if AnswerNet collected</p> <p>10 that information in 2021?</p> <p>11 A Not without seeing the documents</p> <p>12 that I referenced earlier.</p> <p>13 Q Okay. So I've placed another</p> <p>14 exhibit online, and I'm displaying it,</p> <p>15 it's Exhibit 154. There's a list of</p> <p>16 telephone numbers that I've highlighted.</p> <p>17 Do you see those telephone numbers?</p> <p>18 (Exhibit 154 was marked for</p> <p>19 identification.)</p> <p>20 A I do.</p> <p>21 Q What are these telephone numbers</p> <p>22 used for?</p> <p>23 A I -- I believe they are -- I</p> <p>24 don't know every telephone number we use</p> <p>25 for TPV, so I -- I would have to see</p>
<p>Page 86</p> <p>1 G. Pudles</p> <p>2 the computer that they're using, and it</p> <p>3 might also include whether or not it's a</p> <p>4 desktop or a mobile. And so my question</p> <p>5 is, does AnswerNet collect that kind of</p> <p>6 information regarding door-to-door sales</p> <p>7 agents?</p> <p>8 A You have a -- a report that you</p> <p>9 actually I believe attached to -- I was</p> <p>10 told, I did not see it -- that you</p> <p>11 attached to the -- some -- some legal</p> <p>12 document that shows you what we collect --</p> <p>13 or what we collected during that period.</p> <p>14 If you want to bring that document up, we</p> <p>15 can go through what the -- what the</p> <p>16 columns mean, if that's -- if that's</p> <p>17 helpful to you.</p> <p>18 Q Okay. Let's --</p> <p>19 MR. PRESTON: Mr. Bekman, can you</p> <p>20 read that last question back?</p> <p>21 THE REPORTER: Oh, yes, Counsel.</p> <p>22 Counsel, give me one second.</p> <p>23 (The reporter repeated the</p> <p>24 record as requested.)</p> <p>25 //</p>	<p>Page 88</p> <p>1 G. Pudles</p> <p>2 something else. I believe they are phone</p> <p>3 numbers that we use for doing TPV, but you</p> <p>4 know, without seeing something else, we</p> <p>5 have -- we have literally tens of</p> <p>6 thousands of phone numbers that we operate</p> <p>7 across all my companies, and I don't have</p> <p>8 personal knowledge of any one of them.</p> <p>9 Q Sure. Are there telephone</p> <p>10 numbers that sales agents use to call</p> <p>11 TPV.com?</p> <p>12 A Yeah, during the time there were</p> <p>13 certainly telephone numbers that sales</p> <p>14 agents used to call TPV.com.</p> <p>15 Q Okay. And what were those</p> <p>16 telephone numbers -- what did they call</p> <p>17 about? What was the purpose of those</p> <p>18 telephone numbers?</p> <p>19 A Generally, for a TPV or --</p> <p>20 generally, they were either a TPV or they</p> <p>21 were to -- to start a conference call to</p> <p>22 bring the -- the consumer in. So there</p> <p>23 are -- there are a number of things that</p> <p>24 we do, but you know, either they were for</p> <p>25 a sales agent to call in and then we would</p>

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23 (Pages 86 - 89)



<p>1 G. Pudles</p> <p>2 form of the question and any</p> <p>3 characterization of the defendants within</p> <p>4 the question you had.</p> <p>5 MR. PRESTON: Okay. I mean, I guess</p> <p>6 we can go back to Exhibit 50. I think</p> <p>7 what I'd like to do is go off the record</p> <p>8 for about five minutes to give Mr. Pudles</p> <p>9 some time to look through two other</p> <p>10 exhibits which are uploaded to the Google</p> <p>11 Drive. Those are Exhibits 104 and in</p> <p>12 particular Exhibit 105. And I think those</p> <p>13 are the distance reports that you've been</p> <p>14 referencing. And if you could, you know,</p> <p>15 take a look at those spreadsheets and</p> <p>16 confirm to yourself that the distances</p> <p>17 involved and the other GPS data is</p> <p>18 truthful and a correct representation of</p> <p>19 what's in -- that Exhibits 21 and 23 are a</p> <p>20 truthful representation of the GPS data</p> <p>21 that's in Exhibits 105. Does that sound</p> <p>22 fair?</p> <p>23 MR. MURDZA: Well, I'm going to --</p> <p>24 no, I want to object. We're not going to</p> <p>25 go off the record. If there's going to be</p>	<p>1 G. Pudles</p> <p>2 here, because again, none of this has</p> <p>3 anything to do with a TCPA claim. Okay.</p> <p>4 Now, to the extent that what you want me</p> <p>5 to testify to is that there's -- there is</p> <p>6 7,145 miles between the customer and --</p> <p>7 and an activity done by the sales agent, I</p> <p>8 -- so far that I know of, Mr. Preston, you</p> <p>9 haven't lied to me yet, so if you tell me</p> <p>10 that that document -- I can't testify to</p> <p>11 it. If you tell me that document</p> <p>12 represents a summary of the raw data and</p> <p>13 you want me to see that there's a 7,100</p> <p>14 distance, I can tell you that if that's</p> <p>15 what I see on that record, and if it was</p> <p>16 based on records out of Focus, it's</p> <p>17 probably correct.</p> <p>18 BY MR. PRESTON:</p> <p>19 Q Okay. I'm going to ask you to</p> <p>20 turn to Exhibit 79 that's in the Google</p> <p>21 Drive.</p> <p>22 MR. MURDZA: Are you able to share</p> <p>23 this exhibit, or can someone -- so we're</p> <p>24 all looking at the same part of the</p> <p>25 exhibit, please?</p>
<p>Page 94</p> <p>1 G. Pudles</p> <p>2 questions about the documents, we can put</p> <p>3 them in front of Mr. Pudles and he can</p> <p>4 answer questions, but we're not going to</p> <p>5 endeavor to do some sort of work</p> <p>6 reconciling the raw data to these reports.</p> <p>7 And again, I want to represent at least</p> <p>8 this report, the one you currently have on</p> <p>9 the screen has creation dates prior to</p> <p>10 Cerida's purchase of TPV.com.</p> <p>11 So again, the records speak for</p> <p>12 themselves. We can talk to the records if</p> <p>13 they're up on the screen, but we're not</p> <p>14 going to undertake a process whereby he</p> <p>15 goes off the record and performs work to</p> <p>16 reconcile the numbers here. And</p> <p>17 furthermore, we're two hours in to the</p> <p>18 three hour deposition. We have a hard</p> <p>19 stop at 1. So I just want to point that</p> <p>20 out as well.</p> <p>21 MR. PRESTON: And you're taking time</p> <p>22 with these objections, so, but go on.</p> <p>23 THE WITNESS: I -- I -- okay. I --</p> <p>24 I'm going to -- I -- I -- I'm really --</p> <p>25 I'm -- I'm really trying to be patient</p>	<p>Page 95</p> <p>1 G. Pudles</p> <p>2 MR. PRESTON: I can.</p> <p>3 THE WITNESS: And -- and let me say</p> <p>4 three hours is three hours. I -- I, you</p> <p>5 know -- and I'm going to need a -- a</p> <p>6 nature break. Three hours is three hours.</p> <p>7 Objections are a natural part of a</p> <p>8 deposition. So please keep that in mind</p> <p>9 as you consider the -- the remaining hour</p> <p>10 and at least the 10 minutes I'm going to</p> <p>11 need --</p> <p>12 BY MR. PRESTON:</p> <p>13 Q I'm grateful for -- but let's</p> <p>14 focus on this exhibit. As you point out</p> <p>15 time is of the essence. All right. So</p> <p>16 this is an exhibit that reflects a series</p> <p>17 of confirmation codes and GPS data, which</p> <p>18 is from Exhibit 104. And there are one,</p> <p>19 two, four pairs of confirmation codes.</p> <p>20 And the four pairs show confirmations or</p> <p>21 enrollments within close proximity to each</p> <p>22 other by time. And then, we're going to</p> <p>23 scroll and you can see there's a</p> <p>24 confirmation, the next page of --</p> <p>25 paragraph of Exhibit 79 shows enrollments</p>

25 (Pages 94 - 97)

<p>1 G. Pudles  2 that are about 15 minutes apart, but  3 they're also 170 -- sorry -- 137 miles  4 apart. Do you see that?  5 A I do.  6 Q And I'll represent that the rest  7 of the Google Maps in these exhibits  8 present similar pairs of enrollments where  9 there's probably not enough time to get  10 between these two confirmation codes --  11 the service addresses for these two  12 confirmation codes. Do you see that?  13 A I do.  14 Q Okay. Do you have a sense of  15 how this enrollment activity was done  16 given the distances and the times  17 involved?  18 A I -- I don't have a -- I -- I  19 don't have a sense. I don't --  20 MR. HALLAK: Objection to the form of  21 the question as well. Thank you.  22 THE WITNESS: Yeah, I don't have a  23 sense of -- I know that the system grabbed  24 the data that it had available to it, and  25 the data is the data.</p>	<p>1 G. Pudles  2 some more documents. So I'm going to  3 start -- I'm going to upload a audio file.  4 It's a verification call recording,  5 Exhibit 155, and we're going to play it.  6 And I'm going to ask some questions about  7 TPV.com's verification processes. They're  8 pretty short.  9 (Exhibit 155 was marked for  10 identification.)  11 (Audio played.)  12 I'm going to cut it off there.  13 So did you hear the verifier asked  14 Ms. [REDACTED] to confirm that she met with a  15 Spring Power &amp; Gas representative that  16 day? Did you hear that?  17 A I did.  18 MR. HALLAK: Object to the form of  19 the question.  20 BY MR. PRESTON:  21 Q Okay. And Ms. [REDACTED] responded  22 that they weren't there. Did you hear  23 that?  24 MR. HALLAK: Same objection, and then  25 mischaracterization of the content of the</p>
<p>Page 98</p> <p>1 G. Pudles  2 BY MR. PRESTON:  3 Q Okay. So given that answer, do  4 you have a sense of whether or not the  5 data is accurate?  6 A If you're asking me my opinion,  7 my opinion is irrelevant. I'm not an  8 expert. I can tell you the data is the  9 data. I have faith that the data  10 collected was -- was collected by the  11 system. My job's not to give you an  12 opinion or -- of -- of the data that we --  13 that -- that the -- that my client has  14 provided you from our system.  15 Q Okay. If the data is accurate,  16 how did these sales agents appear at these  17 two different sales addresses in such  18 short period of time?  19 MR. MURDZA: Objection. If you know,  20 you can answer, but --  21 THE WITNESS: I wouldn't -- I  22 wouldn't know.  23 BY MR. PRESTON:  24 Q Okay. I have just a few more  25 questions. I'm going to start producing</p>	<p>1 G. Pudles  2 recording.  3 A I -- I heard -- I heard the --  4 the question and answer.  5 Q Okay. What was the answer?  6 A I couldn't hear it well, but I'm  7 -- I -- I think it was some sort of  8 negative.  9 Q Okay. And then did you hear  10 what the verifier said next?  11 A I -- something -- she ended the  12 call because -- because it -- it -- they  13 weren't -- the -- the consumer -- she  14 ended the call.  15 Q Okay. Let's go back and listen  16 to this again.  17 (Audio played.)  18 So you heard the verifier ask if  19 she met with a representative of Spring  20 Power; correct?  21 A I -- I did.  22 Q Okay. And you heard the  23 customer say, "nope, they weren't here";  24 correct?  25 A It sounded like that. It was</p>







1 G. Pudles  
 2 (Audio played.)  
 3 All right. So I listened to  
 4 that. It sounds like a verification call  
 5 to Robert T. Koch, K-O-C-H. Did you hear  
 6 that?  
 7 A It's -- I heard what you heard,  
 8 yes.  
 9 Q Okay. And she asked -- the  
 10 verifier asked if he would confirm if he  
 11 met with a Spring Power & Gas  
 12 representative, and he said no. Did you  
 13 hear that?  
 14 A Yes.  
 15 Q Okay. And then she said, "we'll  
 16 mark this call as customer needs  
 17 clarification." Did you hear that?  
 18 A I did.  
 19 Q Okay. So this call's from a  
 20 little bit later in time and I want to  
 21 confirm with you that defendant's rules  
 22 for marking calls as needs clarification  
 23 did not change from 2021 to a later point  
 24 in time. Is that your understanding as  
 25 well based on that call?

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1 G. Pudles  
 2 BY MR. PRESTON:  
 3 Q So was there any communication  
 4 from AnswerNet to the defendants outside  
 5 of what's shown in, you know, the distance  
 6 reports at Exhibit 104 and 105?  
 7 A There are alert reports which  
 8 that -- which the -- I believe there are  
 9 alerts that go to clients, but I don't  
 10 know if these particular calls were in the  
 11 alerts or not. But otherwise if they  
 12 weren't in the alert, then we would have  
 13 no way of -- we would not necessarily --  
 14 to my knowledge. Now, I'm not saying we  
 15 didn't, but I'm saying to the best of my  
 16 knowledge, we did not communicate  
 17 otherwise directly to Spring other than  
 18 providing them with the call data, which  
 19 based on what we've seen would've said no  
 20 sale because they don't want sales that  
 21 are improper.  
 22 Q Sure. Does AnswerNet use any do  
 23 not contact lists before making  
 24 verification calls?  
 25 A No.

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1 G. Pudles  
 2 A What was the date of that call?  
 3 Q That call was March 18, 2022.  
 4 A Then it appears to be the  
 5 same -- same process.  
 6 Q Okay. Did AnswerNet ever alert  
 7 defendants to these calls, or would they  
 8 have alerted defendants to the content of  
 9 these calls?  
 10 MR. MURDZA: Objection, form.  
 11 A We provided reports on these  
 12 calls and their dispositions, and the --  
 13 the stuff that you already saw on the  
 14 reports you've already shown to the -- to  
 15 the client.  
 16 Q Okay. So, but --  
 17 THE REPORTER: I'm sorry, Counsel.  
 18 Sorry, Counsel. Counsel Hallak, did you  
 19 join on -- in on -- in on the objection?  
 20 I think you're muted. I saw you -- your  
 21 lips moving?  
 22 MR. HALLAK: Yes, I did. Sorry.  
 23 THE REPORTER: Sorry about that,  
 24 Counsel. Sorry, Counsel. Thank you  
 25 everybody.

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1 G. Pudles  
 2 Q Okay. Do AnswerNet verifiers  
 3 get instructions on recognizing or  
 4 addressing cognitive decline in elderly  
 5 adults.  
 6 A I have no idea what you are --  
 7 what you are asking. And besides that,  
 8 are you suggesting that that was something  
 9 that an -- that a verifier should have  
 10 seen during that period for one of your  
 11 class members?  
 12 Q No, it's just literally --  
 13 A -- there's something specific,  
 14 then by all means speak up, but -- but,  
 15 you know, asking me if --  
 16 Q No, no. It's just a question  
 17 I'm --  
 18 A -- read minds, no, they don't  
 19 read minds.  
 20 MR. PRESTON: Okay. I think that's  
 21 it. I don't have any other questions. I  
 22 don't know if Mr. Murdza or Mr. Hallak do.  
 23 MR. HALLAK: No questions from the  
 24 defendants.  
 25 THE REPORTER: Okay. We'll go -- all

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<p>1 G. Pudles</p> <p>2 right. Since this is federal, we'll do</p> <p>3 orders on the record before we go off the</p> <p>4 record. So Counsel Hallak, will you --</p> <p>5 will you be ordering today?</p> <p>6 MR. HALLAK: Yes, please. I just</p> <p>7 need an electronic copy for now. Thank</p> <p>8 you.</p> <p>9 THE REPORTER: Okay. E-copy,</p> <p>10 standard ten day?</p> <p>11 MR. HALLAK: Sure.</p> <p>12 THE REPORTER: Okay. And -- and</p> <p>13 Counsel Murdza, will we be ordering a -- a</p> <p>14 copy of the transcript today?</p> <p>15 MR. MURDZA: No, we won't.</p> <p>16 THE REPORTER: All right. Thank you</p> <p>17 so much. The time is 12:42 p.m. Off the</p> <p>18 record.</p> <p>19 (Signature reserved.)</p> <p>20 (Whereupon, at 12:42 p.m., the</p> <p>21 proceeding was concluded.)</p>	<p>1 CERTIFICATE OF TRANSCRIBER</p> <p>2 I, PATRICIA EDMONDS, do hereby certify that this</p> <p>3 transcript was prepared from the digital audio recording of</p> <p>4 the foregoing proceeding, that said transcript is a true</p> <p>5 and accurate record of the proceedings to the best of my</p> <p>6 knowledge, skills, and ability; that I am neither counsel</p> <p>7 for, related to, nor employed by any of the parties to the</p> <p>8 action in which this was taken; and, further, that I am not</p> <p>9 a relative or employee of any counsel or attorney employed</p> <p>10 by the parties hereto, nor financially or otherwise</p> <p>11 interested in the outcome of this action.</p> <p>12 September 3, 2024</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
Page 118	Page 120
<p>1 CERTIFICATE OF DEPOSITION OFFICER</p> <p>2 I, JAMES BEKMAN, the officer before whom the</p> <p>3 foregoing proceedings were taken, do hereby certify that</p> <p>4 any witness(es) in the foregoing proceedings, prior to</p> <p>5 testifying, were duly sworn; that the proceedings were</p> <p>6 recorded by me and thereafter reduced to typewriting by a</p> <p>7 qualified transcriptionist; that said digital audio</p> <p>8 recording of said proceedings are a true and accurate</p> <p>9 record to the best of my knowledge, skills, and ability;</p> <p>10 that I am neither counsel for, related to, nor employed by</p> <p>11 any of the parties to the action in which this was taken;</p> <p>12 and, further, that I am not a relative or employee of any</p> <p>13 counsel or attorney empl</p> <p>14 financially or otherwise i</p> <p>15 action. September 3, 20</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 David.Murdza</p> <p>2 david.murdza@answernet.com</p> <p>3 September 3, 2024</p> <p>4 RE: Nock, Robert, Et Al. v. Spring Energy RRH, LLC, Et Al.</p> <p>5 8/26/2024, Gary Pudles (#6872872)</p> <p>6 The above-referenced transcript is available for</p> <p>7 review.</p> <p>8 Within the applicable timeframe, the witness should</p> <p>9 read the testimony to verify its accuracy. If there are</p> <p>10 any changes, the witness should note those with the</p> <p>11 reason, on the attached Errata Sheet.</p> <p>12 The witness should sign the Acknowledgment of</p> <p>13 Deponent and Errata and return to the deposing attorney.</p> <p>14 Copies should be sent to all counsel, and to Veritext at</p> <p>15 (division email).</p> <p>16 Return completed errata within 30 days from</p> <p>17 receipt of testimony.</p> <p>18 If the witness fails to do so within the time</p> <p>19 allotted, the transcript may be used as if signed.</p> <p>20</p> <p>21</p> <p>22 Yours,</p> <p>23 Veritext Legal Solutions</p> <p>24</p> <p>25</p>

1 Nock, Robert, Et Al. v. Spring Energy RRH, LLC, Et Al.  
2 Gary Pudles (#6872872)  
3 ACKNOWLEDGEMENT OF DEPONENT  
4 I, Gary Pudles, do hereby declare that I  
5 have read the foregoing transcript, I have made any  
6 corrections, additions, or changes I deemed necessary as  
7 noted above to be appended hereto, and that the same is  
8 a true, correct and complete transcript of the testimony  
9 given by me.  
10  
11 \_\_\_\_\_  
12 Gary Pudles Date  
13 \*If notary is required  
14 SUBSCRIBED AND SWORN TO BEFORE ME THIS  
15 \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_.  
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19 NOTARY PUBLIC  
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